



PATENT

Attorney Docket No. 1025-0138

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Akira Shinjo

Serial No.: 10/018,962

Filed: December 21, 2004

Examiner:

Art Unit: 3732

For: INTRAMEDULLARY NAIL

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) NAME: Debra A. Howe

) SIGNATURE: Debra A. Howe  
)  
)  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicants hereby call the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in

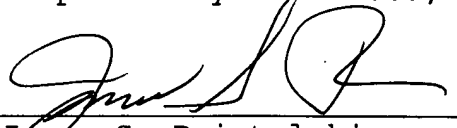
existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

1. This Information Disclosure Statement is being filed within three months from the filing date. Accordingly, it is believed that no fee under 37 CFR 1.97(c) is required. If it is determined that a fee is required for this Information Disclosure Statement, please charge our Deposit Account No. 50/1039.

If it is determined that any additional fee is required for this Information Disclosure Statement, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'James S. Pristelski', written over a horizontal line.

James S. Pristelski  
Registration No. 27,222

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CW

PTO/SB/08A (04-03)

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/018,962
Filing Date	12/21/2004
First Named Inventor	Akira Shinjo
Art Unit	3732
Examiner Name	
Attorney Docket Number	1025-0138

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 4,622,959	11-18-1986	Marcus	
	2	US- 4,827,917	05-09-1989	Brumfield	
	3	US- 5,122,141	06-16-1992	Simpson et al.	
	4	US- 5,531,748	07-02-1996	de la Caffiniere	
	5	US- 5,562,666	10-08-1996	Brumfield	
	6	US- 6,106,528	08-22-2000	Durham et al.	
	7	US- 6,123,708	09-26-2000	Kilpela et al.	
	8	US- 6,228,086	05-08-2001	Wahl et al.	
	9	US- 6,406,477	06-18-2002	Fujiwara	
	10	US- 2002/0156473 A1	10-24-2002	Bramlet et al.	
	11	US- 2003/0074000 A1	04-17-2003	Roth et al.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	1	EP 0 257 118 B	06-13-1990	Howmedica GMBH (DE)		

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Signature

Date  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/018,962		
		Filing Date	12/21/2004		
		First Named Inventor	Akira Shinjo		
		Art Unit	3732		
Examiner Name					
Sheet	2	of	2	Attorney Docket Number	1025-0138

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	US4622959 - Family List	
	2	US4827917 - Family List	
	3	US5122141 - Family List	
	4	US5531748 - Family List	
	5	US5562666 - Family List	
	6	US6106528 - Family List	
	7	US6123708 - Family List	
	8, 9	US6228086 - Family List US6406477 - Family List	
	10, 11	US6648889 - Family List US6835197 - Family List	
	12	EP 0257 118 - Family List	

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